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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**PAUL KORTHAS,**

**Plaintiff,**

**vs.**

**JUDGMENT IN A CIVIL ACTION  
CIVIL ACTION No.: 5:2004-CV-0537(NPM/GHL)**

**CITY OF AUBURN, CITY OF  
AUBURN POLICE DEPARTMENT,  
GARY GIANNOTTA, Chief, C. MAJOR,  
Officer, Hutchings, Officer, D.A. McLOUGHLIN,  
Sergeant, EMMI, Lieutenant, NEAGLE, Captain,  
John DOES 1-3, Individually and as an Employee of  
City of Auburn.**

**Defendants.**

     **JURY VERDICT.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

  **X**   **DECISION BY COURT.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**Pursuant to the decision from the bench in open court by the Hon. Neal P. McCurn, Senior USDJ, on September 20, 2006 at the trial of this action in United States District Court for the Northern District of New York, the plaintiff having been fully heard and upon defendants' Rule 50 Motion for Judgment as a Matter of Law,**

**IT IS ORDERED AND ADJUDGED:** That judgment is entered in favor of the defendants Major, Hutchings and Emmi and as against the plaintiff Paul Korthas and that the complaint is dismissed in its entirety.

**Date: October 2, 2006**

**Lawrence K. Baerman  
Clerk**

**/S/  
Phillip T. McBrearty  
(by) Deputy Clerk**